



Public Service Commission

State of North Dakota

COMMISSIONERS

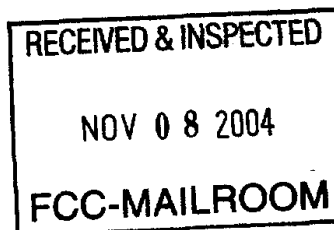
Tony Clark, President
Susan E. Wefald
Kevin Cramer

Executive Secretary
Illona A. Jeffcoat-Sacco

November 4, 2004

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
web: www.psc.state.nd.us
e-mail: ndpsc@state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

Marlene H Dortch
Office of the Secretary
Federal Communications Commission
445 12th St SW Room TW – A306
Washington D C 20554



Irene M Flannery
Vice President High Cost & Low Income Division
Universal Service Administrative Company
2000 L St NW Ste 200
Washington D C 20036

RE: Certification of High Cost Support for Rural Carriers Under 47 C.F.R Sections
54.314 CC Docket No. 96-45

Dear Ms. Dortch and Ms. Flannery:

Attached is a copy of the November 3, 2004 Order of the North Dakota Public Service Commission and the affidavits from Northwest Dakota Cellular of North Dakota Limited Partnership, North Central RSA 2 of North Dakota Limited Partnership, North Dakota RSA No. 3 Limited Partnership, Badlands Cellular of North Dakota Limited Partnership, North Dakota 5 – Kidder Limited Partnership, and Bismarck MSA Limited Partnership accounting to the North Dakota Public Service Commission by affidavit that all federal support they received in second, third and fourth quarters of 2004 will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254 (e) of the Communications Act of 1934, as amended.

PUBLIC SERVICE COMMISSION

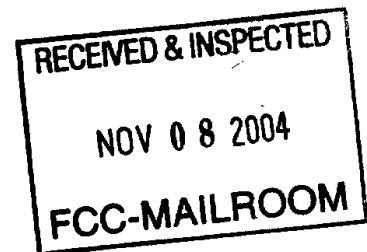
Susan E. Wefald
Commissioner

Tony Clark
President

Kevin Cramer
Commissioner

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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**



**Public Service Commission
USF Use Certification 47CFR54.314 (2004)
Compliance**

Case No. PU-04-562

ORDER

November 3, 2004

Section 254(e) of the Telecommunications Act of 1996 (Act) requires telecommunications carriers to use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which support is intended." On May 23, 2001, the Federal Communications Commission (FCC) released its Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256 (Fourteenth R&O). The Fourteenth R&O requires that each state public utility regulatory authority file an annual certification with the FCC to ensure that rural telecommunications carriers receiving federal funds under the program use the support only as provided in Section 254(e) of the Act. State certification must be filed no later than October 1 of each year in order for certified telecommunications carriers to receive support for the following year, 47 C.F.R. § 54.314(d).

On August 28, 2002, the NDPSC issued an order in Case No. PU-439-02-441 indicating that any telecommunications carrier providing local exchange service in North Dakota that desires to have NDPSC certification to the FCC under 47 C.F.R. §§54.313 or 54.314 shall file an affidavit with the NDPSC, as described in the order, certifying that federal support they receive is used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended as required by Section 254(e). The NDPSC further ordered that affidavits filed with the NDPSC will be the basis for the NDPSC's certification to the FCC.

Affidavits regarding use of federal universal service support for second through fourth quarters of the year 2004 were filed with the NDPSC by the companies listed in the ordering clause below.

Under North Dakota law, the NDPSC has limited jurisdiction over rural telecommunications carriers. The FCC in its order recognized that some states have only limited regulatory oversight to ensure that federal universal support is reflected in intrastate rates and concluded that such states may nonetheless certify to the FCC that carriers in the state had accounted to the state commission for receipt of federal support, and that the support will be used as required under Section 254(e). (See Fourteenth R&O at ¶ 188). The FCC also recognized that some carriers may not be

subject to the jurisdiction of a state regulatory authority, and in those instances carriers can certify directly to the FCC by means of a sworn affidavit executed by a corporate officer attesting to the use of the support only for purposes permitted under the Act. (See Fourteenth R&O at ¶ 189).

Based on the foregoing, the NDPSC issues the following:

Order

1. The NDPSC certifies that the following Eligible Telecommunications Carriers providing local exchange service in North Dakota have accounted to the NDPSC by affidavit that all federal support they receive is used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended as required by Section 254(e), or that they will only use the support they receive during the second through fourth quarters of 2004 for the provision, maintenance, and upgrading of facilities and services for which the support is intended under and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.101 throughout each respective company's study area:

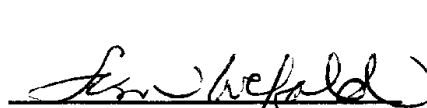
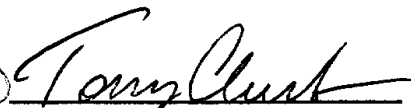

LIST OF COMPANIES

Northwest Dakota Cellular of North Dakota Limited Partnership
North Central RSA 2 of North Dakota Limited Partnership
North Dakota RSA No. 3 Limited Partnership
Badlands Cellular of North Dakota Limited Partnership
North Dakota 5 – Kidder Limited Partnership
Bismarck MSA Limited Partnership

2. The NDPSC certification is based upon the affidavits filed by the foregoing named Eligible Telecommunications Carriers.

3. A copy of each of the filed affidavits is attached to this order.

PUBLIC SERVICE COMMISSION

		
Susan E. Wehald Commissioner	Tony Clark President	Kevin Cramer Commissioner

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
USF Use Certification 47CFR54.34 (2004)
Compliance

Case No. PU-04-562

AFFIDAVIT OF SERVICE BY FEDERAL EXPRESS

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **4th day of November, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by FEDERAL EXPRESS, fully prepaid, securely sealed and each containing a photocopy of:

Order & Affidavits

The envelopes were addressed as follows:

Marlene H Dortch
Office of the Secretary
Federal Communications Commission
445 12th St SW Rm TW – A306
Washington D C 20554

Irene Flannery
Vice President High Cost & Low Income
Division
Universal Service Administrative Company
2120 L St NW Ste 200
Washington D C 20036

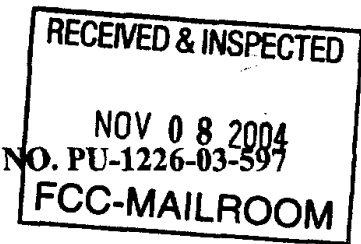
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **4th day of November, 2004**.

Notary Public

SEAL

**BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-1226-03-597
AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45**



**AFFIDAVIT OF
NORTHWEST DAKOTA CELLULAR OF NORTH DAKOTA LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT**

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for Northwest Dakota Cellular of North Dakota Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *Northwest Dakota Cellular of North Dakota Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-1226-03-597 (Feb. 25, 2004) ("Order"). In compliance with the Commission's Order, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the Order.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.314, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

Northwest Dakota Cellular of North Dakota Limited
Partnership

By


Mark R. Smith

Director – Financial Reporting and Partnership
Relations

State of New Jersey)
) ss.
County of Somerset)

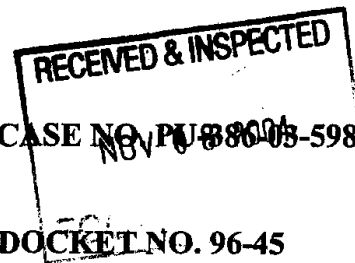
On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for Northwest Dakota Cellular of North Dakota Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Eileen Leba
Notary Public
My Commission Expires 10/30/07

1695520v1

NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007

**BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-386-03-598
AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45**



**AFFIDAVIT OF
NORTH CENTRAL RSA 2 OF NORTH DAKOTA LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT**

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for North Central RSA 2 of North Dakota Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *North Central RSA 2 of North Dakota Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-386-03-598 (Feb. 25, 2004) ("Order"). In compliance with the Commission's Order, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the Order.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.414, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

North Central RSA 2 of North Dakota Limited
Partnership

By


Mark R. Smith

Director – Financial Reporting and Partnership
Relations

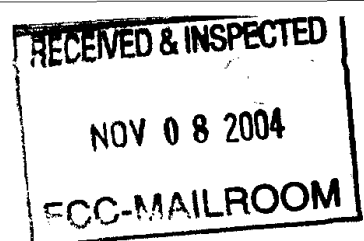
State of New Jersey)
County of Somerset) ss.

On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for North Central RSA 2 of North Dakota Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Evelyn Leba
Notary Public
My Commission Expires 10/30/07

1697380v1

Evelyn Leba
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007



**BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-897-03-599**

**AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45**

**AFFIDAVIT OF
NORTH DAKOTA RSA NO. 3 LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT**

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for North Dakota RSA No. 3 Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *North Dakota RSA No. 3 Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-897-03-599 (Feb. 25, 2004) ("Order"). In compliance with the Commission's *Order*, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the *Order*.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.414, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

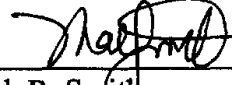
7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

North Dakota RSA No. 3 Limited Partnership

By 
Mark R. Smith
Director – Financial Reporting and Partnership
Relations

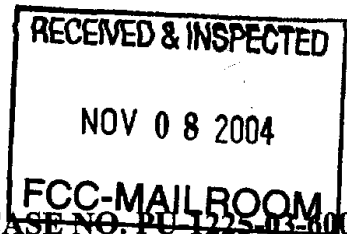
State of New Jersey)
) ss.
County of Somerset)

On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for North Dakota RSA No. 3 Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Evelyn Leba
Notary Public
My Commission Expires 10/30/07

1697384v1

Evelyn Leba
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007



BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-1225-03-600

AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45

AFFIDAVIT OF
BADLANDS CELLULAR OF NORTH DAKOTA LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for Badlands Cellular of North Dakota Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *Badlands Cellular of North Dakota Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-1225-03-600 (Feb. 25, 2004) ("Order"). In compliance with the Commission's Order, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the Order.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.414, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

Badlands Cellular of North Dakota Limited
Partnership

By


Mark R. Smith

Director – Financial Reporting and Partnership
Relations

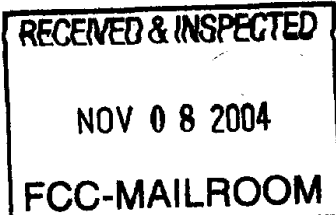
State of New Jersey)
) ss.
County of Somerset)

On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for Badlands Cellular of North Dakota Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Evelyn Leba
Notary Public
My Commission Expires 10/30/07

1697385v1

Evelyn Leba
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007



**BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-338-03-601**

**AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45**

**AFFIDAVIT OF
NORTH DAKOTA 5 – KIDDER LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT**

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for North Dakota 5 – Kidder Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *North Dakota 5 – Kidder Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-338-03-601 (Feb. 25, 2004) ("Order"). In compliance with the Commission's Order, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the Order.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.414, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

North Dakota 5 – Kidder Limited Partnership

By 

Mark R. Smith

Director – Financial Reporting and Partnership
Relations

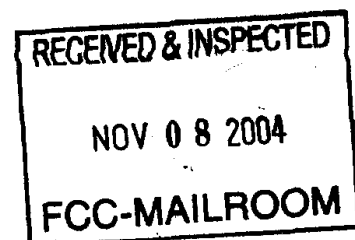
State of New Jersey)
County of Somerset) ss.

On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for North Dakota 5 – Kidder Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Evelyn Leba
Notary Public
My Commission Expires 10/30/07

1697388v1

Evelyn Leba
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007



**BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-494-03-602**

**AND BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45**

**AFFIDAVIT OF
BISMARCK MSA LIMITED PARTNERSHIP
REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT**

Mark R. Smith, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant serves as the Director – Financial Reporting and Partnership Relations for Bismarck MSA Limited Partnership ("Company").

2. The Company is an eligible telecommunications carrier ("ETC") within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 ("Act"), and the Company is eligible to receive federal high-cost universal service support ("Support") pursuant to Section 254(e) of the Act.

3. Affiant is personally familiar with the Support to be received by the Company and how the Company will use the Support.

4. On February 25, 2004, the North Dakota Public Service Commission ("NDPSC") issued an order designating the Company as an ETC for the purpose of receiving federal universal service support in the designated service areas conditioned upon the filing of a tariff for its universal service, Lifeline, and Link-Up offerings. *Bismarck MSA Limited Partnership Designated Eligible Carrier Application*, Order, Case No. PU-494-03-602 (Feb. 25, 2004) ("Order"). In compliance with the Commission's Order, the Company filed its informational tariff with the Commission on May 24, 2004. The Company then commenced providing services as an ETC within the service areas identified in Table 5 of the Order.

5. The Company seeks to qualify for receipt of Support from May 24, 2004, through December 31, 2004. For the Company to qualify for Support under FCC Rules 54.313 and 54.414, the NDPSC must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC"), stating that all Support will be used by the Company only for the provision, maintenance, and upgrading of facilities and services for which the Support is intended. 47 C.F.R. §§ 54.313(a) & 54.314(a).

6. To receive Support for the second quarter of 2004, the period in which the Company's ETC designation became effective, the NDPSC would have had to certify the Company's use of Support with the FCC by January 1, 2004, nearly five months prior to the date the Company was eligible to operate as an ETC. Because the Company's ETC designation was

not effective until May 24, 2004, the NDPSC could not have certified the Company's use of Support within the filing deadlines set forth in FCC Rules 54.313(d) and 54.314(d).

7. Pursuant to FCC Rules 54.313(c) and 54.314(c), the NDPSC "may file a supplemental certification for carriers not subject to the State's annual certification." 47 C.F.R. §§ 54.313(c) and 54.314(c). As of the January 1, 2004, certification deadline, the Company's ETC designation was not effective and, therefore, the Company was not subject to the State's annual certification. Accordingly, NDPSC is authorized by FCC Rules 54.313(c) and 54.314(c) to supplement its earlier certification to certify the Company's use of Support to the FCC effective May 24, 2004.

8. The Company is filing this affidavit in compliance with the FCC's order dated May 23, 2001, in Docket No. 96-45 (FCC 01-157), as codified in 47 C.F.R. §§ 54.313 and 54.314, which require the above certification to the FCC. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460, and dated August 28, 2002, in Case No. PU-439-02-441, setting forth the procedures and standards for the Commission's certification of the use of federal universal service support. This affidavit is filed to facilitate the Company's receipt of federal Support from the effective date of the ETC designation, May 24, 2004, through December 31, 2004.

9. The Company hereby certifies that it will only use the Support that the Company receives from May 24, 2004, through December 31, 2004, for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to provide the following services, as described in 47 C.F.R. § 54.101(a)(1)-(a)(9), throughout the Company's designated service areas: (a) voice-grade access to the public switched telephone network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 14 day of October, 2004

Bismarck MSA Limited Partnership

By 

Mark R. Smith

Director – Financial Reporting and Partnership
Relations

State of New Jersey)
County of Somerset) ss.

On this 15th day of October 2004, before me, a Notary Public in and for said County and State, personally appeared Mark R. Smith, known to me to be the Director – Financial Reporting and Partnership Relations for Bismarck MSA Limited Partnership, the company that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Evelyn Leba

Notary Public

My Commission Expires 10/30/07

1697390v1

Evelyn Leba
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT. 30, 2007